

#141 NO + DEC 5 2003  
T. R. Betty Brown

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No.  
PO9-99-159

In Re Application of **Kubala et al.**

Serial No.  
09/408,470

DEC 05 2003

Filing Date  
09/28/99

Examiner  
George L. Opie

Group Art Unit  
2126

Invention: **DYNAMICALLY REDISTRIBUTING SHAREABLE RESOURCES OF A COMPUTING  
ENVIRONMENT TO MANAGE THE WORKLOAD OF THAT ENVIRONMENT**

**RECEIVED**

DEC 10 2003

TO THE COMMISSIONER FOR PATENTS:

Technology Center 2100

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **September 3, 2003** finally rejecting Claim(s) **1-65**

The fee for this Notice of Appeal is: **\$330.00**

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **09-0463 (IBM)**

12/03/2003 SZEWDIE1 00000016 090463 09408470  
01 FC:1401 330.00 DA

Blanche E. Schiller  
Signature

Dated: **December 3, 2003**

Blanche E. Schiller, Esq.  
Reg. No. 35,670  
Heslin Rothenberg Farley & Mesiti P.C.  
5 Columbia Circle  
Albany, NY 12203  
Telephone: (518) 452-5600  
Facsimile: (518) 452-5579

I certify that this document and fee is being deposited on **Dec. 3, 2003** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jill K. Becker  
Signature of Person Mailing Correspondence

**Jill K. Becker**

Typed or Printed Name of Person Mailing Correspondence

CC: